

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MYRON L. VAN TASSEL,)	
Plaintiff,)	
)	C.A. No. 17- 275 Erie
)	
v.)	District Judge Baxter
)	Magistrate Judge Eddy
MIDFIRST BANK,)	
Defendant.)	

MEMORANDUM ORDER

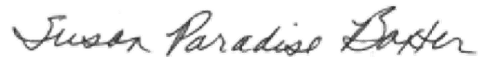
This action was commenced by the filing of a Complaint on October 16, 2017, against a number of named Defendants. On February 12, 2018, Plaintiff filed an amended complaint against Defendant MidFirst Bank only, and all other Defendants were voluntarily dismissed from this case. This matter was referred to United States Magistrate Judge Cynthia Reed Eddy for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On March 5, 2018, Defendant MidFirst Bank filed a motion to dismiss amended complaint [ECF No. 14]. On September 4, 2018, a magistrate judge's report and recommendation ("R&R") was issued [ECF No. 25] recommending that Defendant's motion to dismiss be granted and that this case be dismissed with prejudice. Service of the R&R was made on Plaintiff at his address of record, via first class United States mail. Objections to the R&R were originally due from Plaintiff by September 21, 2018, but the deadline was subsequently extended to October 22, 2018, by this Court's Order dated October 3, 2018. Nonetheless, Plaintiff has failed to file any objections.

On September 14, 2018, the undersigned was sworn in as a United States District Judge. This action was reassigned to this Court's docket on September 17, 2018. After de novo review of the motion and documents in this case, together with the report and recommendation, the following order is entered:

AND NOW, this 31st day of October, 2018;

IT IS HEREBY ORDERED that the motion to dismiss filed on behalf of Defendant MidFirst Bank [ECF No. 14] is GRANTED, and this case is DISMISSED with prejudice. The report and recommendation of Magistrate Judge Eddy, issued September 4, 2018 [ECF No. 25], is adopted as the opinion of the court.



SUSAN PARADISE BAXTER
United States District Judge

cc: Cynthia Reed Eddy
U.S. Magistrate Judge

all parties of record